



PATENT  
Attorney Docket No. 10260.0006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Harald BREIVIK et al. ) Group Art Unit: 1632  
)  
Application No.: 10/517,812 ) Examiner: Deborah D. CARR  
)  
Filed: December 14, 2004 )  
)  
For: A PROCESS FOR DECREASING ) Confirmation No.: 8613  
ENVIRONMENTAL POLLUTANTS )  
IN AN OIL OR FAT, A VOLATILE )  
ENVIRONMENTAL POLLUTANTS )  
DECREASING WORKING FLUID, )  
A HEALTH SUPPLEMENT, AND )  
AN ANIMAL FEED PRODUCT )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the listed documents on the attached PTO SB/08 Form. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.  
Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In lieu of a statement of relevance or translation of the non-English documents, an English language abstract is provided for the documents listed in the Table below.

DE 3839017 A1	DATABASE WPI: Week 199022, Derwent Publications Ltd., DE 3839017.
JP 6-293895	DATABASE WPI: Week , Derwent Publications Ltd., JP 6-293895.
JP 6-116585	DATABASE WPI: Week 199421, Derwent Publications Ltd., JP 6116585.
JP 2-25447	DATABASE WPI: Week 198422, Derwent Publications Ltd., JP 19900025447.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

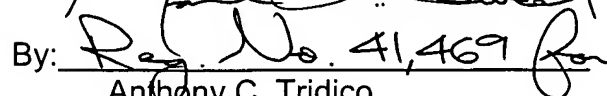
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



Dated: March 12, 2007

By:



Anthony C. Tridico

Reg. No. 45,958

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

5

Application Number

10/517,812

Filing Date

December 14, 2004

First Named Inventor

Harald BREIVIK et al.

Art Unit

1621

Examiner Name

Deborah CARR

Attorney Docket Number

10260.0006

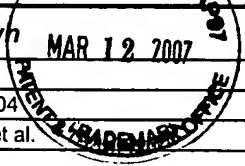
## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1.	US-2007/0036862 A1	02-15-2007	Rongen et al.	
	2.	US-2006/0211762 A1	09-21-2006	Rongen et al.	
	3.	US-2006/0166935 A1	07-27-2006	Bryhn	
	4.	US-2006/0148047 A1	07-06-2006	Haraldsson et al.	
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	6.	US-2005/0171200 A1	08-04-2005	Calder et al.	
	7.	US-2003/0212138 A1	11-13-2003	Obukowicz	
	8.	US-2003/0077342 A1	04-24-2003	Maffetone	
	9.	US-6,518,049 B1	02-11-2003	Haraldsson et al.	
	10.	US-2002/0077361 A1	06-20-2002	Peet et al.	
	11.	US-6,277,405 B1	08-21-2001	Stamm et al.	
	12.	US-6,204,401 B1	03-20-2001	Perrut et al.	
	13.	US-5,945,318	08-31-1999	Breivik et al.	
	14.	US-5,719,302	02-17-1998	Perrut et al.	
	15.	US-5,698,594	12-16-1997	Breivik et al.	
	16.	US-5,656,667	08-12-1997	Breivik et al.	
	17.	US-5,502,077	03-26-1996	Breivik et al.	
	18.	US-5,480,787	01-02-1996	Negishi et al.	
	19.	US-5,436,018	07-25-1995	Massie et al.	
	20.	US-5,316,927	05-31-1994	Zaks et al.	
	21.	US-5,130,061	07-14-1992	Cornieri et al.	
	22.	US-5,130,449	07-14-1992	Lagarde et al.	
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	24.	US-5,013,443	05-07-1991	Higashidate et al.	
	25.	US-4,996,072	02-26-1991	Marschner et al.	
	26.	US-4,956,286	09-11-1990	Macrae	
	27.	US-4,956,287	09-11-1990	Suzuki et al.	

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

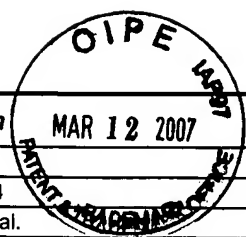
IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b> 	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				Application Number	10/517,812
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				Examiner Name	Deborah CARR
				Attorney Docket Number	10260.0006
Sheet	2	of	5		

FOREIGN PATENT DOCUMENTS						
Exami ner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translati on <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	28.	DE 3839017 A1	05-23-1990	Henkel KGaA		Abst.
	29.	EP 1 419 780 A1	05-19-2004	Martek Biosciences Corp.		
	30.	GB 2 221 843 A	02-21-1990	Norsk Hydro A.S.		
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	35.	WO 98/18952 A1	05-07-1998	Nippon Suisan Kaisha, Ltd.		Abst. included
	36.	WO 95/24459 A1	09-14-1995	Norsk Hydro A.S.		
	37.	WO 91/16443 A1	10-31-1991	Novo Nordisk A.S.		
	38.	WO 90/13656 A1	11-15-1990	Enzytech, Inc.		

NONPATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
	39.	ABE, Y. et al. "Soluble Cell Adhesion Molecules in Hypertriglyceridemia and Potential Significance on Monocyte Adhesion," <i>Arteriosclerosis, Thrombosis, and Vascular Biology</i> (1998), 18(5), 723-731.	
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	42.	BIMBO, A. P. "Guidelines for characterizing food-grade fish oil," <i>Inform</i> (1998), 9(5), 473-483.	
	43.	BØNAA, K. H. et al. "Effect of Eicosapentaenoic and Docosahexaenoic Acids on Blood	

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Sheet	3	of	5	Attorney Docket Number	10260.0006

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		Pressure in Hypertension," <i>New England J. of Medicine</i> (1990), 322, 795-801.	
	44.	BREIVIK, H. et al. "Preparation of Highly Purified Concentrates of Eicosapentaenoic Acid and Docosahexaenoic Acid," <i>JAOCS</i> (1997), 74(11), 1425-1429.	
	45.	BRYHN, M. et al. "The bioavailability and pharmacodynamics of different concentrations of omega-3 acid ethyl esters," <i>Prostaglandins, Leukotrienes and Essential Fatty Acids</i> (2006), 75, 19-24.	
	46.	CALABRESI, L. et al. "Omacor in familial combined hyperlipidemia: effects on lipids and low density lipoprotein subclasses," <i>Atherosclerosis</i> (2000), 148(2), 387-396.	
	47.	CHAN, D. C. et al "Regulatory Effects of HMG CoA Reductase Inhibitor and Fish Oils on Apolipoprotein B-100 Kinetics in Insulin-Resistant Obese Male Subjects With Dyslipidemia," <i>Diabetes</i> (2002), 51, 2377-2386.	
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	53.	DIEP, Q. N. et al "Docosahexaenoic Acid, a Peroxisome Proliferator-Activated Receptor- $\alpha$ Ligand, Induces Apoptosis in Vascular Smooth Muscle Cells by Stimulation of p38 Mitogen-Activated Protein Kinase," <i>Hypertension</i> (2000), 36, 851-855.	
	54.	DONADIO, J. V. "Use of fish oil to treat patients with immunoglobulin A nephropathy," <i>Am. J. Clin. Nutr.</i> (2000), 71(Suppl), 373S-375S.	
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	57.	EPAX marketing information (7 pages)	
	58.	OMEGA-3-Acid Ethyl Esters 90, European Pharmacopoeia 5.3 (2006) 3571-3573.	
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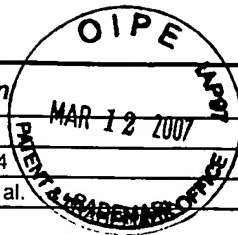
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Sheet	4	of	5	

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62.	HARALDSSON, G. G. et al. "Studies on the Positional Specificity of Lipase from <i>Mucor miehei</i> during Interesterification Reactions of Cod Liver Oil with n-3 Polyunsaturated Fatty Acid and Ethyl Ester Concentrates," <i>Acta Chemica Scandinavica</i> (1991), 45, 723-730.		
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65.	HARRIS , W. S. et al. "Safety and efficacy of Omacor in sever hypertriglyceridemia," <i>Journal of Cardiovascular Risk</i> (1997), 4(5-6), 385-391.		
66.	HOGG, R. J. et al. "Advances in Treatment: Immunoglobulin A Nephropathy," <i>Seminars in Nephrology</i> (1996), 16(6) 511-516.		
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68.	Information from <a href="http://www.epax.com">http://www.epax.com</a> (6 pages).		
69.	Information from <a href="http://www.omacor.com">http://www.omacor.com</a> (25 pages).		
70.	Information from <a href="http://www.omacorr.com/">http://www.omacorr.com/</a> (45 pages).		
71.	JOHANSEN, O. et al. "n-3 Fatty Acids Do Not Prevent Restenosis After Coronary Angioplasty: Results from the CART Study," <i>Journal of the American College of Cardiology</i> (1999), 33(6), 1619-1626.		
72.	KRIS-ETHERTON et al. "Fish Consumption, Fish Oil, Omega-3 Fatty Acids, and Cardiovascular Disease," <i>Circulation</i> (2002), 106, 2747-2757.		
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75.	LIE, E. et al. "Esterification of polyunsaturated fatty acids with lipases from different sources," <i>International J. of Food Science and Technology</i> (1992), 27, 73-76.		
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77.	LULEY C. et al. "Bioavailability of Omega-3 Fatty Acids: Ethylester Preparation are as Suitable as Triglyceride Preparations," <i>Nutrition Lances</i> (1990), 15, 123-125.		
78.	LUNGERSHAUSEN, Y. K. et al. "Reduction of blood pressure and plasma triglycerides by omega-3 fatty acids in treated hypertensives," <i>Journal of Hypertension</i> (1994), 12(9), 1041-1045.		
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Sheet	5	of	5		



NONPATENT LITERATURE DOCUMENTS			
		Fatty Acids After Myocardial Infarction," <i>Circulation</i> (2002), 105, 1897-1903.	
	80.	MCNEILL, G. P. "Lipase-Catalyzed Enrichment of Long-Chain Polyunsaturated Fatty Acids," <i>JAOCS</i> (1996), 73(11), 1403-1406.	
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	82.	NORDØY, A. "Statins and omega-3 fatty acids in the treatment of dyslipidemia and coronary heart disease," <i>Minerva medica</i> (2002), 93(5), 357-363.	
	83.	Omacor prescribing information from the FDA website: <a href="http://www.fda.gov/cder/foi/label/2004/21654lbl.pdf">www.fda.gov/cder/foi/label/2004/21654lbl.pdf</a> (9 pages).	
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	86.	Product specifications for EPAX 1050TG	
	87.	Product specifications for EPAX 4020EE	
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	89.	Product specifications for EPAX 4510TG	
	90.	Product specifications for EPAX 5500EE	
	91.	Product specifications for EPAX 6000EE	
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	95.	SHIBATA, T. et al. "Effects of peroxisome proliferator-activated receptor- $\alpha$ and - $\gamma$ agonist, JTT-501, on diabetic complications in Zucker diabetic fatty rats," <i>British J. of Pharmacol.</i> (2000), 130, 495-504.	
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	97.	STALENHOF, A. F. H. et al. "The effect of concentrated n-3 fatty acids versus gemfibrozil on plasma lipoproteins, low density lipoprotein heterogeneity and oxidizability in patients with hypertriglyceridemia," <i>Atherosclerosis</i> (2000), 153(1), 129-138.	
	98.	Third Party Observation from corresponding European application no. 03764048.9 - 2108 dated September 26, 2006.	

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